

Docket No.: T16-0003
Bench Date: 09/28/16
Deadline: N/A

M E M O R A N D U M

TO: The Commission

FROM: Latrice Kirkland-Montaque, Chief Administrative Law Judge

DATE: September 15, 2016

SUBJECT: United City of Yorkville, Kendall County, Illinois,
a municipal corporation
Petitioner

v.

Illinois Railway, LLC, a subsidiary of OmniTRAX,
and Illinois Department of Transportation
Respondents

Petition for assignment of an Association of American
Railroads (AAR) grade crossing inventory number for
Hoover Road, a dedicated public street, including approval
of installing active warning devices across railroad track at
grade.

RECOMMENDATION: Enter Order granting the Petition.

On December 18, 2015, the United City of Yorkville filed a Petition requesting the assignment of an AAR crossing number for Hoover Road, a public right-of-way, including permission to install active warning devices at the Hoover Road grade crossing of the Illinois Railway's ("IR") track, located in the City of Yorkville, Kendall County, Illinois.

In short, the United City of Yorkville is seeking to assign a public crossing inventory number to an at-grade crossing that was previously identified as a private crossing. Hoover Road crosses at grade one railroad track owned and operated by the IR. Hoover Road extends in a northeast-southwest direction approximately 1,055 feet north of West Fox Road to the northern boundary of the IR line where there is an existing highway-rail grade crossing identified as a private crossing. The existing crossing is a twenty-four foot wide timber crossing equipped with Crossbuck warning signs and separate STOP signs.

The property adjacent to the Hoover Road crossing was purchased by the Kendall County Forest Preserve District ("District") from the Boy Scouts of America and

became the Hoover Forest Preserve. The District has subsequently improved the property with lodge rentals, outdoor education programs, pre-school, camping facilities and other recreational features and improvements for public use.

The right-of-way of Hoover Road from Fox Road to the north right-of-way line of the IR line was transferred by an Intergovernmental Agreement, dated November 24, 2015, between the District and the City, becoming a public right-of-way under the jurisdiction of the City.

Automatic flashing light signals, bell and gates controlled by appropriate warning control circuitry are proposed to be installed at the Hoover Road crossing. Funding for the proposed crossing signals has been secured through the Illinois Department of Transportation.

Staff does not object to the granting of the Petition.

I recommend entry of the Order granting the Petition.